PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE.

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Bangalore Dress Manufacturing Co., Ltd., No. 12, Lalbagh Road, Bangalore-2

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers:—

(i) Letter No. IT 2711/12/66-67, dated 2nd March 1967, from Shri A. Panchaksharaiah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated this day of 1st March 1967.

Present

Sri A. Panchaksharaiah, B.A., (Hons) L.L.B., ... Presiding Officer.

I. D. No. 49 of 1965.

Workmen of Bangalore Dress Manufacturing Co., Ltd., No 12, Lalbagh Road, Bangalore-2 ... *First Party.*

Vs.

Management of Bangalore Dress Manufacturing Co., Ltd., No. 12, Lalbagh Road, Bangalore-2 ... *Second Party.*

Appearances.

For First Party.—Sri N. Keshava, Vice-President, I. N. T. U. C., Bangalore, and Sri D. Venkatesh, General Secretary, Mysore State Dress Manufacturers' Employees' Union, Bangalore.

For Second Party.—Sri S. G. Sundaraswamy, B.Sc., B.L., Advocate, Bangalore.

Reference.

(Government Order No. PLM 161 LLD 65, Bangalore dated 6th November 1966.

AWARD

In their Order No. TLM 451 LLD 65, dated 5th November 1965, the Government of Mysore have referred under Section 10 (1) (d) of the Industrial Disputes Act, 1947, several points of dispute existing between the workmen and management of Bangalore Dress Manufacturing Co., Ltd., No. 12, Lalbagh Road, Bangalore-2, for adjudication to this tribunal. Those points of dispute relate to the minimum wages, Dearness Allowance of various categories of workmen, increments due to the workers, death relief fund, bonus etc.

2. This Reference was registered as I. D. No. 49 of 1965 and Notices were issued to the I Party to file the claim statement. On 20th December 1965 the I party filed the claim statement through Sri N. Keshava and Sri D. Venkatesh. Various arguments have been put forward in relation to the justifiability of the claim of the I Party against the II Party. The II Party filed a counter statement on 2nd February 1966 refuting most of the allegations in the counter statement. On 11th February 1966 the I Party filed a Reply meeting all the allegations in the II Party's counter statement.

3. On these pleadings, in addition to the points of dispute in the Reference, my learned predecessor framed only one issue with regard to the financial capacity of the II Party to meet the demands raised by the I party. The case was then posted for evidence. After several hearings the I party examined some witnesses. All the while both the parties were taking time for reporting the settlement of the dispute.

4. On 1st March 1967 a Memorandum of Settlement signed by both the parties was filed. On behalf of the I Party Sri D Venkatesh, General Secretary, Mysore State Dress Manufactures, 'Employees' Association and few workers have signed this Memorandum of Settlement while on behalf of the II Party Sri B. Hanumantha Rao, Managing Agent has signed it. As per the terms of this settlement both parties requested this tribunal to pass an award. The Memorandum of Settlement covers the questions of increments, permanency, bonus, D. A. and other matters. I am satisfied after going through this Memorandum of Settlement that it is in the beneficial interest of the employees of the II Party.

5. Accordingly I make an award in terms of the memorandum of Settlement. The memorandum of Settlement wil form part of this award and a copy of the same is annexed to this award.

6. In the circumstances of the case, each party will bear its own costs.

A. PANCHAKSHARAIAH,
Presiding Officer,
Industrial Tribunal.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, BANGALORE.

I. D. No. 49 of 1965.

Workmen of The Bangalore Dress Manufacturing Co. (P) Ltd., represented by The Mysore State Readymade Dress Manufacturers, Employees, Union — *I Party.*

Vs.

The Management of The Bangalore Dress Manufacturing Co. (P) Ltd. — *II Party.*

Memorandum of settlement dated 31st January 1967.

The parties above named are involved in I. D. 49/1965 now pending adjudication before this Hon'ble Tribunal. After prolonged negotiations they have entered into a satisfactory settlement as set out hereunder :—

TERMS OF SETTLEMENT.

1. *Increments—*

1. (a) All categories of workmen who have put in more than three months of service as on 1st January 1967 shall get an increase of 12½ per cent on their existing consolidated wages.

(b) In addition to the above increase, workmen who have put in more than Ten years of service as on 1st January 1967 shall be entitled to Rs. 7-50 per month.

(c) Workmen who have put in less than 10 years of service but more one year as on 1st January 1967 shall get an additional increase of Rs 6 per month This is in addition to the increase under clause (a) above.

(d) New workers who are now in service shall be put into appropriate grades as soon as they complete one year's service.

(e) *Helpers and Hand work sections.*—Workers under these categories shall get a minimum of Rs. 1-50 p. d. or Rs. 39 p.m. The above clauses (a) to (d) under the head 'Increments' will not apply to them.

2. The increments in wages calculaed as above shall be given effect from 1st January 1967 and shall be paid to all workmen who are in service as on the date of this Agreement.

3. (a) In addition the management will also pay to all workmen who were on rolls as on 31st May 1964 amount equivalent to the increase that would have been earned by them had the increments been given effect from 1st November 1966.

(b) Workmen who joined after 1st June 1964 but before 31st December, 1965 shall also be paid, an amount equivalent to the increase that would have been earned by them had the increments been given effect from 1st December, 1966.

II. *Permanency*—

The present Permanent compliment of the factory shall be raised to 500. In confirming this classification the seniority in service shall also be taken in to account in addition to other consideration like good attendance, exigencies of service, good record etc This adjustment in the labour compliments shall be made with effect from 1st April 1967.

III. *Bonus*—

Bonus shall be paid in accordance with the provisions of the payment of Bonus Act.

IV. *Dearness Allowance—*

1. The present B. W., D. A. and the increase under this Agreement shall all be consolidated. The Basic Wages and Dearness Allowance shall then be re-arranged out of this consolidated amount as follows:

(a) Where the consolidated wage is Rs. 56 p.m. (2–15 p.d.) and above, Rs. 30 p.m. (Rs. 1–15 p.d.) shall be treated as D. A.

(b) Where the consolidated wage is Rs. 100 p.m. (3-90 p.d.) and above, Rs. 35 p.m. (Rs. 1–35 p.d.) shall be treated as D A.

(c) Where the consolidated wage is Rs. 140 and above, Rs 40 shall be treated as D. A.

(d) Where the consolidated wage is Rs. 220 and above Rs. 50 shall be treated as D. A.

2. Where the consolidated wage is below Rs. 56 p. m. (Rs. 2–15 p.d.) one half of this amount shall be treated as B. W. and the other half as D. A. for all purposes necessary.

V. *Period of Agreement:*

This agreement shall come into effect from 1st January 1967 and shall remain in force for a period of three years. That is, until the expiry of 31st December 1969.

VI. *Death Relief Fund.*

This shall be started as soon as practicable and run on such lines and terms as to be mutually agreed upon.

VII. The provisions of this agreement shall only apply to workmen who are in service as on this date, i.e. 31st *January* 1967, the date of this agreement, where payments are involved. Otherwise they bind future employees also.

VIII. Neither parties will have the right to raise any dispute in respect of the points now pending before the Tribunal, during the said period of three years. Points not specifically covered herein are not pressed and are given up. All points of difference are thus settled and there is no dispute in any matter with the management as on this date.

IX. In all other matters not covered above, the past awards, settlements and practices shall continue to bind the parties.

X. The parties shall make an application to the Hon'ble Tribunal to pass an Award in terms of this settlement.

I Party	*II Party*
For and on behalf of the Workmen of The Bangalore Dress Mfg. Co. (P) Ltd.,	For the Mangement of the Bangalore Dress Mfg. Co., (P.) Ltd.,
1. D. Venkatesh	1. E. Hanumantha Rao
2. M. Govindaraju	
3. M G vindaraju	
4. S. G. Malati	
5. C. Velu	
6. P. Y. Ramaswamy	
7. Philom na	
8. K. Ch ndra	
9. T. Muniappa	

A. PANCHAKSHARIAH,
Presiding Officer,
Industrial Tribunal.

"True Copy"

ORDER.

Bangalore, dated 25th March 1967.

S. O. 573.—WHEREAS by State Government Order No. PLM 451 LLD 65, dated 5th November 1965, the Industrial Dispute between the Workmen and the Management of Bangalore Dress Manufacturing Co., Ltd., No. 12, Lalbagh Road, Bangalore-2, was referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. PLM 451 LLD 65.]

By Order and in the name of the Governor of Mysore,

3264 G. G. PUROHIT, *Under Secy.*